

EXHIBIT “D”



Donald Pocock <donald.pocock@nelsonmullins.com>

3/16/2021 2:15 PM

RE: Integon v. Singh, et al.

To mcarita@comcast.net <mcarita@comcast.net>

Mike,

I apologize that I was not in a position to discuss the Singh insurance claim last week when you called me. I was in the midst of very intense work related to a completely different case and did not have Singh at the forefront of my mind. In any event, to respond to your question, Fay and Wilmington Trust very much intend to pursue their claim against National General for the Singh property, and to that end our clients have commenced suit in federal court for breach of contract. I am attaching a copy of the complaint here as a courtesy to you, but it will be served through the North Carolina Commissioner of Insurance, the statutory agent for service of process.

The suit commenced in Fairfax Circuit Court names the wrong parties, including the wrong carrier and the wrong holder of the note. A mere substitution of parties would not be procedurally appropriate. The entire action needs to be dismissed. We intend to move forward in the Middle District of North Carolina where National General's principal offices are located.

Donald R. Pocock
Nelson Mullins Riley & Scarborough LLP
The Knollwood, Suite 530
380 Knollwood Street
Winston-Salem, NC 27103
336.774.3324

From: mcarita@comcast.net <mcarita@comcast.net>
Sent: Wednesday, February 24, 2021 9:01 AM
To: Donald Pocock <Donald.Pocock@nelsonmullins.com>
Subject: Integon v. Singh, et al.

Donald:

Thank you for contacting me on this one. Attached are the DJ action w/exhibits, the policy in question, proof of the 20% ownership transfer to Ajay Singh, the April 18, 2019 Title Search Report provided to Fay showing the 20% ownership transfer to Ajay.

It is our position that unless Fay/Wilmington has a record of informing Integon of that change in ownership, it is in violation of paragraph 2(a) of the Mortgage Clause, and thus would not be entitled to coverage under the policy. If you have any such evidence of notice to Integon, or disagree with this analysis, please let me know.

If we can not reach agreement on this issue, we will proceed with an agreed Order of Substitution adding Wilmington Trust and Fay Servicing as parties in this declaratory judgment action.

I look forward to hearing from you.

Michael J. Carita, Esq.
LEVINECARITA PLC
1010 Cameron Street
Alexandria, VA 22314

Tel. 703-370-5569
Fax. 703-370-5572



On 02/23/2021 4:00 PM Donald Pocock <donald.pocock@nelsonmullins.com> wrote:

Mike,

Thanks for speaking with me today about the Integon dec action. I am told that Kelly Gring's firm was retained to deal with a motion for relief from stay in connection with the foreclosure, but they are not counsel for purposes of defense of your suit. My firm will be making an appearance.

You offered to provide me some documents demonstrating Fay's knowledge or lack of notice to the carrier concerning a change of ownership. Will you please email those materials to me?

Thanks very much.

-Don Pocock



DONALD R. POCOCK **PARTNER**

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- 001 - 2021.03.15 Complaint - 4839-5454-7169 1.pdf (10 MB)
- image002.png (23 KB)

mcarita@comcast.net <mcarita@comcast.net>

2/24/2021 9:00 AM

Integon v. Singh, et al.

To Donald Pocock <donald.pocock@nelsonmullins.com> Blind copy Cortney Jenkins <cortney.jenkins@ngic.com>

Donald:

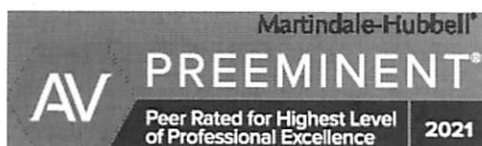
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**NELSON MULLINS****DONALD R. POCOCK PARTNER****donald.pocock@nelsonmullins.com****THE KNOLLWOOD | SUITE 530****380 KNOLLWOOD STREET | WINSTON-SALEM, NC 27103****T 336.774.3324 F 336.774.3376****NELSONMULLINS.COM [VCARD](#) [VIEW BIO](#)****Confidentiality Notice**

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- Deed Book 25696 Page 1571-75.pdf (390 KB)
- TITLE_SEARCH_EFF_3-31-19 Singh.pdf (9 MB)